12-26-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032 U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

## UTILITY PATENT APPLICATION **TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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|--|--|---|--|--|
| LITY   | Attorney Docket No.                          | 920070.401  |  |  |
| PPLICATION   | First Inventor                               | William A. Ahroon   |  |  |
| SMITTAL<br>rovisional applications<br>CFR 1.53(b)) | Title  | DETERMINING SPEECH RECEPTION THRESHOLD  |  |  |
|  | Express Mail Label No.                       | EL897867393US   |  |  |

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| 1. 🛛  | Fee Transmi                                | ttal Form (e.g., PT       | O/SB/17)<br>for fee processing)          | 7.   |  | CD-ROM or CD-R Computer Program         | in duplicate, large table or a (Appendix) |  |  |  |
|---|--|---------------------------|--|--|--|---|---|--|--|--|
| _   |  | aims small entity status. |  |  | П  | · · · · · · · · · · · · · · · · · · ·   |   |  |  |  |
|   | See 37 CFR                                 | •                         |  |  |  |   | licable, all necessary)                   |  |  |  |
|   | Specification                              |                           | otal Pages 22                            | 1  | a. [   | , · · · · · · · · · · · · · · · · · · · | dable Form (CRF)                          |  |  |  |
| 3. <u>N</u>   |  | rangement set for         |  | •  | b.   |   | equence Listing on:                       |  |  |  |
|   |  | tle of the Invention      | in bolon)                                |  | ے.<br>i.   |   | CD-R (2 copies); or                       |  |  |  |
|   |  | nce to Related Appli      | cations                                  |  | ii   |   |   |  |  |  |
|   |  | egarding Fed sponso       |  |  | с. Г   | Statements ve                           | rifying identity of above copies          |  |  |  |
|   |  |                           |  |  | U. [   | ACCOMPANYING                            | APPLICATION PARTS                         |  |  |  |
|   |  | sequence listing, a t     |  |  | <b>\$</b>  |   | s (cover sheet & document(s))             |  |  |  |
|   | •  | r program listing app     | enuix                                    |  |  |   |   |  |  |  |
|   | •  | of the Invention          |  | 10   | 10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney |   |   |  |  |  |
|   |  | ry of the Invention       | ( if filed)                              | 111  | .П   | English Translation                     | n Document (if applicable)                |  |  |  |
|   |  | tion of the Drawings      | ( II meu)                                | 1  | . H  | Information Disclos                     |   |  |  |  |
|   | - Detailed Des                             | cription                  |  | 12   | U  | Statement (IDS)/P                       | - · · · · · · · · · · · · · · · · · · ·   |  |  |  |
|   | - Claim(s)                                 | o Dicologues              |  | 145  | 3. []  | Preliminary Amend                       | 1   |  |  |  |
|   | - Abstract of th                           |                           | -4-1064- 12                              |  | i. 🔀   | ·                                       | estcard (MPEP 503)                        |  |  |  |
|   |  | 35 U.S.C. 113) [To        |  | •  | ·. <u>/~</u>   | Should be specific                      | ,   |  |  |  |
|   | or Declaration                             | •                         |  | - 1  | 5. 🗍   |   | Priority Document(s)                      |  |  |  |
| a. X Newly executed (original or copy) b. Copy from a prior application (37 CFR 1.63 (d))   |  |                           | - 1                                      | ,. ∐   | (if foreign priority i   |   |   |  |  |  |
| b. 🗌  | Copy fro                                   | m a prior applicati       | ION (37 CFK 1.03 (0<br>Box 18 completed) | "  | s. 🛛   |   | ification under 35 U.S.C.                 |  |  |  |
| (for a continuation/divisional with Box 18 completed)   |  |                           | "  | . <u>M</u>   | 122/h/(2)/B)(i) A  | policant must attach form               |   |  |  |  |
| i. DELETION OF INVENTOR(S)  |  |                           | .  | 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |  |   |   |  |  |  |
| Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1 33(b)  |  |                           |  | 17. Other:   |  |   |   |  |  |  |
|   |  |                           |  |  |  |   |   |  |  |  |
| 6. 🛚 🔀  | 6. Application Data Sheet. See 37 CFR 1.76 |                           |  |  |  |   |   |  |  |  |
|   |  |                           |  |  |  |   |   |  |  |  |
| 18.   | If a CONTIN                                | NUING APPLICATION         | N OR APPLICATION                         | CLAIMIN  | IG FOR   | REIGN PRIORITY, chec                    | k appropriate box, and supply the         |  |  |  |
| requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76   |  |                           |  |  |  |   |   |  |  |  |
| U '   | Continuation                               | Division                  | al [] Contini                            | uation-in  | -part (  |   | monty none application                    |  |  |  |
| No  |  |                           |  |  |  |   |   |  |  |  |
| Prior application information Examiner Group Art Unit:  For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or                       |  |                           |  |  |  |   |   |  |  |  |
| For CO  | NTINUATIO                                  | N or DIVISIONAL           | APPS only: The e                         | ntire dis  | closu  | re of the prior appli                   | ompanying continuation or                 |  |  |  |
| declara   | ition is supp                              | lied under Box 5          | b, is considered a                       | part or i  | The  | incorporation can                       | only be relied upon when a                |  |  |  |
| divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. |  |                           |  |  |  |   |   |  |  |  |
| portion   | nas been n                                 | davertorkiy onne          | 19. CORRES                               | PONDE  | NCE /  | ADDRESS                                 |   |  |  |  |
|   |  | Corresponden              | ce address below                         |  |  | or:                                     | X Customer Number or Bar Code Label       |  |  |  |
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| Address   |  |                           |  |  |  |   | 20465                                     |  |  |  |
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| Telephor  | ne   |                           |  | Fax  | <del> </del>   |   |   |  |  |  |
| Name (P   | Print/Type)                                | Dale Ѭใ Cook              | 2  |  |  | gistration No.<br>torney/Agent)         | 42,434                                    |  |  |  |
|   |  |                           |  |  | † <u>`</u>   |   | December 18, 2001                         |  |  |  |
| Signatur  | re   | 14/                       |  |  | Da   | ie                                      | December 16, 2001                         |  |  |  |

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## **FEE TRANSMITTAL** for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT | (\$) | 740

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| Complete if Known    |                   |  |  |  |
|----------------------|-------------------|--|--|--|
| Application Number   |                   |  |  |  |
| Filing Date          | December 18, 2001 |  |  |  |
| First Named Inventor | William A. Ahroon |  |  |  |
| Examiner Name        |                   |  |  |  |
| Group Art Unit       |                   |  |  |  |
| Attorney Docket No.  | 920070.401        |  |  |  |

| METHOD OF PAYMENT  |                        | FEE CALCULATION (continued)                    |                  |                    |  |  |  |
|--|------------------------|--|------------------|--------------------|--|--|--|
| Payment Enclosed   |                        | 3. ADDITIONAL FEES Large Entity Small          |                  |                    |  |  |  |
| Check Credit card Money Order Other  |                        | Entity<br>Fee                                  | <u>Sn</u><br>Fee | <u>rall</u><br>Fee | Fee  |  |  |
|  | Fee<br>Code            | (\$)   | Code             | (\$)               | Fee Description Paid   |  |  |
|  | 105                    | 130  | 205              | 65                 | Surcharge - late filing fee or oath  |  |  |
| Deposit<br>Account 21-0380<br>Number   | 127                    | 50   | 227              | 25                 | Surcharge - late provisional filing fee or cover sheet                     |  |  |
| Deposit  | 139                    | 130  | 139              | 130                | Non-English specification  |  |  |
| Account U.S. Army  |                        | 2,520  | 147              | 2,520              | For filing a request for ex parte reexamination                            |  |  |
| The Commissioner is authorized to (check all that apply)   |                        | 920*   | 112              | 920*               | Requesting publication of SIR prior to Examiner action                     |  |  |
| Charge fee(s) indicated below  |                        | 1,840*   | 113              | 1,840*             | Requesting publication of SIR after Examiner action                        |  |  |
| Charge fee(s) indicated below, except for the filling fee  | 115                    | 110  | 215              | 55                 | Extension for reply within first month                                     |  |  |
|  | 116                    |  | 216              | 200                | Extension for reply within second  |  |  |
| _  |                        |  |                  |                    | month  |  |  |
| to the above-identified deposit account.   | 117                    | 920  | 217              | 460                | Extension for reply within third month                                     |  |  |
| Applicant claims small entity status See 37 CFR 1.27   | 118                    | 1,440  | 218              | 720                | Extension for reply within fourth month                                    |  |  |
| FEE CALCULATION  | 128                    | 1,960  | 228              | 980                | Extension for reply within fifth month                                     |  |  |
| 1. BASIC FILING FEE  | 119                    | 320  | 219              | 160                | Notice of Appeal   |  |  |
| Large Entity Small Entity  | 120                    | 320  | 220              | 160                | Filing a brief in support of an appeal                                     |  |  |
| Fee Fee Fee Fee Description  | 121                    | 280  | 221              | 140                | Request for oral hearing   |  |  |
| Code (\$)   Fee Paid   | 138                    | 1,510  | 138              | 1,510              | Petition to institute a public use proceeding                              |  |  |
| 106 330 206 165 Design filing fee  | 140                    | 110  | 240              | 55                 | Petition to revive – unavoidable   |  |  |
| 107 510 207 255 Plant filing fee   | 141                    | 1,280  | 241              | 640                | Petition to revive – unintentional   |  |  |
| 108 740 208 370 Reissue filing fee<br>114 160 214 80 Provisional filing fee                              | 142                    | 1,280  | 242              | 640                | Utility issue fee (or reissue)   |  |  |
| ,  | 143                    | 460  | 243              | 230                | Design issue fee   |  |  |
| SUBTOTAL (1) (\$) 740  |                        | 620  | 244              | 310                | Plant issue fee  |  |  |
| 2. EXTRA CLAIM FEES  Extra Fee from Fee  | 122                    | 130  | 122              | 130                | Petitions to the Commissioner  |  |  |
| Claims below Paid  | 123                    | 50   | 123              | 50                 | Petitions related to provisional applications                              |  |  |
| Claims 20 = 0 18 = 0   | 126                    | 180  | 126              | 180                | Submission of Information Disclosure<br>Stmt                               |  |  |
| Independent   3  | 581                    | 40   | 581              | 40                 | Recording each patent assignment per property (times number of properties) |  |  |
| Large Entity Small Entity  | 146                    | 740  | 246              | 370                | Filing a submission after final rejection (37 CFR § 1 129(a))              |  |  |
| Fee Fee Fee Fee Fee Description  Code (\$) Code (\$)   | 149                    | 740  | 249              | 370                | For each additional invention to be  |  |  |
| 103 18 203 9 Claims in excess of 20<br>102 84 202 42 Independent claims in excess of 3                   | 179                    | 740  | 279              | 370                |  |  |  |
| 104 280 204 140 Multiple dependent claim, if not paid  ** Reissue independent claims over onginal patent | 169                    | 900  | 169              | 900                | (RCE) Request for expedited examination of a                               |  |  |
| 110 18 210 9 ** Reissue claims in excess of 20 and over original patent                                  | Other fo               | ee (specify                                    | ')               |                    | design application   |  |  |
| SUBTOTAL (2) (\$) 0  |                        | *Reduced by Basic Filing Fee Paid SUBTOTAL (3) |                  |                    |  |  |  |
| **or number previously paid, if greater, For Reissues, see above   | (\$)0                  |  |                  |                    |  |  |  |
|  |                        |  |                  |                    |  |  |  |
| SUBMITTED BY  Name  Data B. Colate   |                        | Registration No.   42 424                      |                  |                    |  |  |  |
| (Print/Type) Dale R. Cook  | Attorney/Agent) 42,434 |  |                  |                    |  |  |  |
| Firm Name/ 1 111   |                        |  |                  | 30465              |  |  |  |
|  |                        |  |                  |                    | I  |  |  |
| Signature // //  | Date                   | Decer  | nber             | 18, 2              | 001 PATENT TRADEMARK OFFICE  |  |  |

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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

| First Named Inventor   | William A. Ahroon                         |  |  |  |  |
|------------------------|---|--|--|--|--|
| Title                  | DETERMINING SPEECH<br>RECEPTION THRESHOLD |  |  |  |  |
| Attorney Docket Number | 920070.401                                |  |  |  |  |

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 18, 2001

Date

Signature

Dale R. Cook
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

Burden Hour Statement. This collection of information is required by 37 CFR 1 213(a) The information is used by the public to request that an application not be published under 35 U.S.C. 1.22(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1 14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231